

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

CLARA DANIELS, et al.

*

Plaintiffs,

*

v.

*

Case No.: 1:17-cv-00982-JFM

**THE CARTER-JONES LUMBER
COMPANY d/b/a CARTER LUMBER
COMPANY, et al.**

*

*

Defendants.

*

* * * * *

JOINT MOTION FOR MODIFICATION OF SCHEDULING ORDER

Defendant, E3 Holdings, LLC d/b/a EnerLux Windows & Doors, Defendant, The Carter-Jones Lumber Company, and Plaintiffs, Clara Daniels and Robert Daniels, by and through their respective undersigned counsel, respectfully jointly move this Honorable Court to modify the June 20, 2017 Scheduling Order, and as modified on September 7, 2017, and in support thereof state as follows:

1. This action arises out of personal injuries allegedly sustained by Plaintiffs Clara Daniels and Robert Daniels.
2. Since initiation of this lawsuit, the parties have acted with diligence and good faith in conducting discovery, including the exchange of written discovery, the completion of the depositions of both Plaintiffs, the corporate designees for both remaining defendants, and additional fact witnesses.
3. Because of the complex nature of this case and the medical issues in question, the parties need additional time to complete discovery and to complete the depositions of additional medical witnesses. Specifically, the Plaintiff named Dr. Thomas Amalfitano as a rebuttal expert

medical witness. Dr. Amalfitano needs additional time to issue his report and the parties require time to depose Dr. Amalfitano if necessary.

4. The Parties therefore jointly request that the June 20, 2017 Scheduling Order, as modified on September 7, 2017, be further modified as follows:

| EVENT | CURRENT DEADLINE | MODIFIED DEADLINE |
|-------------------------|-------------------------|--------------------------|
| Discovery Deadline | November 29, 2017 | January 15, 2017 |
| Dispositive Motions | November 20, 2017 | January 30, 2017 |
| Requests for Admissions | December 6, 2017 | January 30, 2017 |

5. In addition to the submission of this request, and as a result of the additional information required to complete discovery, the parties are contemporaneously with this motion filing a request with Magistrate Judge Stephanie Gallagher to request a modification and postponement of the present December 12, 2017, settlement conference. In light of the ongoing investigation and complex nature of Plaintiff's damages, the parties require additional time to investigate this case to be able to engage in productive and good faith settlement negotiations.

6. Good cause exists for this request and neither this Honorable Court nor any of the parties to this case will be prejudiced by the present request.

WHEREFORE, Defendant E3 Holdings, LLC d/b/a EnerLux Windows & Doors, Defendant The Carter-Jones Lumber Company and Plaintiffs Clara Daniels and Robert Daniels respectfully request that this Court grant their Joint Motion for Modification of the Scheduling Order.

Respectfully submitted,

/s/

Alfred L. Scanlan, Jr., Esq. (#00262)
Schlossberg, Mastro & Scanlan
18421 Henson Blvd., Suite 201
Hagerstown, Maryland 21742
(301) 739-8610
(301) 791-6302 (fax)
ascanlan@schlosslaw.com
Attorney for Plaintiff

/s/

Ralph L. Arnsdorf, Esq. (#03963)
Justin E. Tepe, Esq. (#19750)
Franklin & Prokopik
The B&O Building
Two North Charles Street, Suite 600
Baltimore, Maryland 21201
(410) 752-8700
(410) 752-6868 (fax)
rarnsdorf@fandpnet.com
jtepe@fandpnet.com
Attorneys for Defendant, E3 Holdings, LLC
d/b/a EnerLux Windows & Doors

/s/

Richard S. Schrager, Esq. (#02463)
Bacon, Thornton & Palmer, LLP
6411 Ivy Lane, Suite 500
Greenbelt, Maryland 20770
(301) 345-7001
(301) 345-7075 (fax)
rschrager@lawbtp.com
Attorney for Defendant The Carter-Jones Lumber Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2017, a copy of the foregoing Joint Motion for Modification of Scheduling Order was e-filed and mailed, first-class mail, postage prepaid to:

Alfred L. Scanlan, Jr., Esq.
Schlossberg, Mastro & Scanlan
18421 Henson Blvd., Suite 201
Hagerstown, MD 21742
Attorney for Plaintiff

Richard S. Schrager, Esq.
Bacon Thornton & Palmer, LLP
6411 Ivy Lane, Suite 500
Greenbelt, MD 20770
Attorney for The Carter-Jones Lumber Company


Justin E. Tepe